

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, MARCH 22, 1988

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:25 a.m. Mayor O'Connor and the Council welcomed students from Mira Mesa Christian School. The meeting was recessed by Mayor O'Connor at 12:10 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:00 p.m. with Council Members Pratt and McCarty not present. Mayor O'Connor recessed the meeting at 4:47 p.m. to convene as the Redevelopment Agency. The meeting was reconvened by Mayor O'Connor at 5:57 p.m. with Council Members McColl and Struiksma not present. Mayor O'Connor adjourned the meeting at 6:14 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour;Fishkin (jb;tm)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-150: (R-88-1741) ADOPTED AS RESOLUTION R-270588

Authorizing the execution of an agreement with Trabajadores De La Raza, Inc., to operate the Casa Familiar Project as recommended by the Public Services and Safety Committee on February 3, 1988; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$45,000 from CDBG Fund 18524, Department 5668, Organization 6801 (Contingencies) to Fund 18524, Department 5664, Organization 6402 (Social Service Project - Casa Familiar); authorizing the expenditure of an amount not to exceed \$45,000 from Fund 18524, Department 5664, Organization 6402 (Social Service Project - Casa Familiar) for the purpose of providing funds for the above program.
(See City Manager Report CMR-88-82.)

COMMITTEE ACTION: Reviewed by PSS on 2/3/88. Recommendation to approve an agreement with Trabajadores De La Raza, Inc. from March through June on the condition that they receive management assistance from the San Diego Community Foundation. Districts 2, 3, 4 and 6 voted yea. District 7 voted nay.

CITY MANAGER SUPPORTING INFORMATION: On February 3, 1988 the Public Services and Safety Committee recommended, on a 4 to 1 vote, to provide \$45,000 in interim, emergency funding to Casa Familiar so as to enable them to continue offering services to their clients during the period March 1, 1988 to June 30, 1988. Casa Familiar is a social service program that provides counseling, interpretation/translation, emergency food and community education services to the residents of the San Ysidro area.

Aud. Cert. 8800764.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A060-070.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (O-88-54) INTRODUCED, TO BE ADOPTED APRIL 4, 1988

(Continued from the meetings of October 19, 1987, Item 51, January 11, 1988, Item 201, February 8, 1988, Item 201, and March 7, 1988, Item 203; last continued at Council Member Struiksma's request, to be taken in consideration with the designation of Parcel 455-Area C.)

Introduction of an Ordinance amending Section 1 of Ordinance O-16203 (New Series), adopted May 14, 1984,

incorporating a portion of Pueblo Lot 1101, Miscellaneous Map-36, a 1.6-acre site located on the north side of Friars Road, between Napa and Benicia Streets, into CO Zone; extension of time to June 14, 1990.
(See Planning Department Report PDR-87-432.
Case-87-0267/EOT1. Linda Vista Community Area.
District-5.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A071-075.)

MOTION BY STRUIKSMA TO INTRODUCE THE ORDINANCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205:

(R-88-1932 Alternate 2) ADOPTED AS RESOLUTION R-270591,
FINDING THAT THE ROLLER COASTER HAS VESTED RIGHTS;
(R-88-1932 Alternate 1 Rev.1) ADOPTED AS RESOLUTION R-270592,
PUTTING THE ROLLER COASTER BACK INTO OPERATION.

Matter of:

Taking testimony with regards to the Proposition G Initiative and a public hearing in accordance with Section 6 of Proposition G relating to Mission Beach (Belmont) Park to determine whether the following projects have vested rights:

- 1) The Belmont Park Redevelopment project; and
- 2) Commercial operation of the Roller Coaster.

19880322

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F001-256.)

Hearing began at 3:27 p.m. and halted at 3:48 p.m.

MOTION BY HENDERSON TO ADOPT THE RESOLUTION FINDING THAT THE ROLLER COASTER HAS VESTED RIGHTS. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-ineligible, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-nay.

MOTION BY FILNER TO ADOPT A RESOLUTION PUTTING THE ROLLER COASTER BACK INTO OPERATION. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-ineligible, Struiksma-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-310:

Two actions relative to awarding suggestion awards to the following employees:

Subitem-A: (R-88-1744) ADOPTED AS RESOLUTION R-270589

Kenneth Norton - General Services Department - \$451.38.

Robert Davis - Water Utilities Department - \$160.

Sharon Smith - Purchasing Department - \$80.

Robert Kruger - Property Department - \$80.

Subitem-B: (R-88-1745) ADOPTED AS RESOLUTION R-270590

Ernest DeLeon - Water Utilities Department - \$25.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A041-059.)

MOTION BY HENDERSON TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Mar-22-1988

ITEM-311: WELCOMED

Welcoming a group of approximately 32 students from Horton Elementary School, who will attend this meeting accompanied by Lilia Barr, their teacher. This group will arrive at approximately 10:00 a.m.
(District-4.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A030-040.)

ITEM-330: (R-88-1659) ADOPTED AS RESOLUTION R-270593

Acquiring 1.28 acres of Kensington Hillside Extension No. 2 for the San Diego Open Space Park Facilities District No. 1; authorizing the expenditure of an amount not to exceed \$450,000 as payment for said property and related costs from Open Space Park District Bond Fund 79103; authorizing the City Manager to accept the deed without further Council action.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: On November 21, 1983, the Council approved a revised open space retention list and gave direction on future open space appraisals for purposes of acquisition. Included in that direction was that \$5 million be

allocated in each of Council Districts 3 and 4 to acquire open space and to "look to the Councilmember of the District" in identification of parcels to be acquired. City staff has since been working with District staff to meet the requirements of the Council directive. As part of our ongoing efforts to acquire quality open space, this 1.28 acre parcel was discussed with District 3. Councilmember McColl reviewed the parcel and recommended it be added to the District 3 acquisition plan. The specific acquisition plan and funds to appraise this land for purposes of acquisition for open space was approved by the City Council on September 15, 1986. The system consists of two adjacent parcels; the other parcel has already been acquired and we now have funds available to proceed with this remaining parcel. Agreement on value has already been reached with the property owner. This request is for \$450,000 to purchase this parcel at fair market value plus funds to cover title, escrow and other miscellaneous costs.

Aud. Cert. 8800747.

FILE LOCATION: STRT OS-31

COUNCIL ACTION: (Tape location: E239-279.)

Hearing began at 3:05 and halted at 3:08

MOTION BY ROBERTS TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331: (R-88-1584) ADOPTED AS RESOLUTION R-270594

Acquiring 0.7 acres of Goldfinch Canyon Extension for the San Diego Open Space Park Facilities District No. 1; authorizing the expenditure of an amount not to exceed \$300,000 as payment for said property and related costs from Open Space Park District Bond Fund 79104; authorizing the City Manager to accept the deed to said property without further Council action.

(Uptown Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: At a September 22, 1987 public hearing, Council directed the acquisition of 14.8 acres in Goldfinch Canyon for open space. During that hearing Council further directed that we pursue adding four additional parcels, with funding to be provided by reprogramming funds from other uptown area parcels that were removed from acquisition plans. These four parcels, totalling 0.7 acres, are located north of Lewis Street between Goldfinch and Falcon Streets. On November 16, 1987 Council approved an acquisition plan and funds for

appraisal of these parcels. This request is for \$300,000 to purchase these parcels at fair market value plus funds to cover title, escrow and other miscellaneous costs.

Aud. Cert. 8800697.

FILE LOCATION: STRT OS-30

COUNCIL ACTION: (Tape location: E279-467.)

Hearing began at 3:08 p.m. and halted at 3:20 p.m.

Testimony in favor by Gary Kreitzer.

Testimony in opposition by Paul Bishop and Bruce Hampton.

MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (O-87-249) INTRODUCED, TO BE ADOPTED APRIL 4, 1988

Proposed amendment to the Regents Park Development Agreement between the City of San Diego and Lomas Santa Fe, Inc., et al.

The proposed development agreement would apply to approximately 27.5-acres in the University Community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the University Community Plan, CN Zone, Planned Commercial Development Permit PCDP-85-0492, Preliminary Parcel Map PM-85-0492 and Regents Park, Map-10703 for the remainder of the original 20-year term of the agreement to December 21, 2003. Additional provisions are included in the draft development agreement.

The property subject to the proposed development agreement is located on the north side of La Jolla Village Drive between Genesee Avenue and Regents Road, in Zone CN, in the University Community Plan area. The subject property is partially described as Lots 1-19, Regents Park, Map-10703. The specific legal description is on file in the City

Planning Department.

(Case-87-0240. District-1.)

Introduction of an Ordinance approving the first amendment to the development agreement between the City of San Diego and Lomas Santa Fe, Inc.

FILE LOCATION: DEVL - Regents Park Development Agreement

COUNCIL ACTION: (Tape location: E467-591.)

Hearing began at 3:20 p.m. and halted at 3:27 p.m.

Testimony in favor by Paul Robinson.

MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333:

Appeal of Chapel of The Rock - MDC Mark II, by Rev. Ron Shires, from the decision of the Board of Zoning Appeals in denying CUP-19703, proposing to: (1) construct a church and K-8 grade school on a vacant lot where such uses are permitted by Conditional Use Permit only; and (2) provide 18 percent of the lot area for automobile parking and driveways where a minimum of 40 percent is required, on a site located on the northwest corner of Candida Street and Via Pasar, in Zone M-1B, in the Mira Mesa Community Plan area. The subject property is further described as Lot 31, Mark II Industrial Park, Map-9310.

(CUP-19703. District-5.)

19880322

Subitem-A: (R-88-2024) ADOPTED AS RESOLUTION R-270595

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-87-0646 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-88-2026) ADOPTED AS RESOLUTION R-270596

GRANTING THE APPEAL AND THE PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the permit with appropriate findings to support Council action.

FILE LOCATION: ZONE - Zoning Appeals C-19703

COUNCIL ACTION: (Tape location: D455-685.)

Hearing began at 2:38 p.m. and halted at 2:49 p.m.

MOTION BY STRUIKSMA TO ADOPT SUBITEM-A AND TO GRANT THE APPEAL AND GRANT THE PERMIT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334:

1. An amendment to the North City West Community Plan and Development Units 4, 5 and 6 Precise Plan to:
 - A. Change the approved land use in the eastern 69-acre portion of Development Unit 5, located north of Carmel Valley Road, south of Carmel Country Road and east of the San Diego Gas and Electric Company easement FROM 262 detached single-family homes TO church, tennis club, 76 detached single-family homes and 138 duplex residential units;
 - B. Shift 5.5 acres of proposed visitor-commercial development from the northwest corner of Carmel Valley Road and Carmel Creek Road to the northeast corner of El Camino Real and Carmel Valley Road;
 - C. Adjust the size of the proposed neighborhood commercial and visitor center, to be located on the west side of Carmel Creek Road, north of Carmel Valley Road;
 - D. Extend a portion of Carmel View Road east to intersect with Carmel Creek Road, 450 feet north of Carmel Valley Road; and
 - E. Add 3 park sites.
2. An amendment to the Progress Guide and General Plan for the City of San Diego to correspond to the proposed changes to the North City West Community Plan and Development Units 4, 5 and 6 described above.
3. An amendment to the North City West Planned District Ordinance to change the zoning in the areas described above FROM SF-2 (Single-Family Residential); NC (Neighborhood Commercial); and EC (Employment Center) TO SF-2 and SF-3 (Single-Family Residential); SP (Special Use) for the church and tennis club; NC (Neighborhood Commercial); VC (Visitor-Commercial); EC (Employment Center); and OS (Open Space).
(District-1.)

Subitem-A: (R-88-1303) ADOPTED AS RESOLUTION R-270597

Adoption of a Resolution certifying that the information contained in Environmental Impact Reports EIR-86-0875,

EIR-87-0228 and EIR-87-0769 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said reports have been reviewed and considered by the Council; adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-88-107 Rev.1) INTRODUCED, TO BE ADOPTED
APRIL 4, 1988

Introduction of an Ordinance amending the North City West
Planned District Ordinance.

Subitem-C: (R-88-1302) ADOPTED AS RESOLUTION R-270598

Adoption of a Resolution amending the North City West
Community Plan; the North City West Development Units 4, 5
and 6 Precise Plan; and the Progress Guide and General
Plan, to become effective after the next omnibus hearing.

FILE LOCATION: LAND - North City West Community Plan
North City West Development Units 4,
5 and 6 Precise Plan

COUNCIL ACTION: (Tape location: G259-536.)

Hearing began at 4:29 p.m. and halted at 4:47 p.m.

Testimony in favor by Steve Zimmer.

MOTION BY WOLFSHEIMER TO ADOPT STAFF'S RECOMMENDATIONS. Second
by Roberts. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Mar-22-1988

ITEM-335: WELCOMED

Welcoming 33 students, ages 16-20, from various cities
throughout Germany, in San Diego, hosted by the Pacific
Intercultural Exchange to study our government and
political process.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D118-167.)

ITEM-336: (R-88-2077) ADOPTED AS RESOLUTION R-270599 DENYING
THE APPEALS

(Continued from the meetings of September 22, 1987, Item
330; October 13, 1987, Item 330, November 10, 1987, Item
338 and January 12, 1988, Item S501; last continued at the
City Manager's request, to allow the Center City

Development Corporation (CCDC) to review.)

Matters of:

- 1) Appeal of Goodwill Industries by Michael S. Rowan from the decision of the Historical Site Board to designate the Regal/Anita (RAID) Hotels as part of the Chinese/Asian Thematic Historic District. The subject property is located at 416-422 Fourth Avenue.
- 2) Appeal of Charles P. Tyson by Maria Burke Lia, attorney, from the decision of the Historical Site Board to designate the Chinese Mission Building as a part of the Chinese/Asian Thematic Historic District. The subject property is located at 643-645 First Avenue.
(District-8.)

19880322

Subitem-A:

Adoption of a Resolution approving or denying the appeal and the historical designation for the Regal/Anita (RAID) Hotels with appropriate findings to support Council action.

Subitem-B:

Adoption of a Resolution approving or denying the appeal and the historical designation for the Chinese Mission Building with appropriate findings to support Council action.

FILE LOCATION: GENL - Historical Site Board

COUNCIL ACTION: (Tape location: G536-I336.)

Hearing began at 4:47 p.m. and halted at 5:57 p.m.

Testimony in favor by Charles Tyson, Billy Riley, Dan Pearson and Tom Hom.

Testimony in opposition by Timothy Yeun, Carol Lindemulder, Tom Hom, Dorothy Hom, Fritz Ahern and Marilyn Irwin.

Motion by Filner to (1) Uphold the appeals of Tyson and Goodwill with the following conditions: (A) Require Redevelopment Agency approval of any demolition permit for the two properties; (B) Require that any proposal for reconstruction of the structures be subject to review and comment by the Historical Site Board and; (2) Direct CCDC to return with negotiation agreements with Tom Hom for the Chinese Mission Building and Dan Pearson for the Regal/Anita Hotel. Second by McCarty. Failed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-nay, Pratt-nay, Struiksma-yea, Henderson-ineligible, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

MOTION BY McCOLL TO DESIGNATE THE TWO SITES AS HISTORICAL SITES WITH THE UNDERSTANDING THAT THERE MAY BE CHANGES. IN THE CASE OF THE HOTEL, IT MAY BE EXPANDED AND MODIFIED, AND IN THE CASE OF THE MISSION, IT MAY FACE A DIFFERENT DIRECTION. IT IS ALSO THE UNDERSTANDING THAT ONCE DESIGNATED, THE BUILDINGS MAY BE RELOCATED. DIRECT STAFF TO PROCEED WITH NEGOTIATION OF THE AGREEMENTS WITH MR. HOM AND MR. PEARSON IN A EXPEDITIOUS MANNER.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-ineligible, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-337: CONTINUED TO APRIL 19, 1988 AT 2:00 P.M.

(Continued from the meetings of January 5, 1988, Item 339, and January 19, 1988, Item 336; last continued at Council Member Struiksma's request, to enable the applicant to put together his financing package.)

I-15 CORRIDOR CONSOLIDATED COMMUNITY PLAN AMENDMENTS
MESA DEL SOL Project (Case-86-0613)

Rezoning the 84.5-acre site from Zone A-1-10, R1-5000, R-3000 and Hillside Review Overlay to Zones R1-5000, R-1500 and Hillside Review Overlay; and amending the Mira Mesa Community Plan to 1) Redesignate the 84.5-acre site from Commercial Recreation, Low (5-9 du/ac) and Low Medium (10-15 du/ac) density residential to Medium Low (16-29 du/ac) density residential; 2) Reclassify Black Mountain Road from a four-lane major to a six-lane primary arterial between Galvin Avenue and Los Penasquitos Canyon bridge; and 3) Reclassify Capricorn Way from a four-lane major to a four-lane collector between Westview Parkway and the western boundary of the subject property.

The subject property is located east and west of Black Mountain Road, north of Galvin Avenue, and is further described as Lots 1-297, Mesa del Sol, Tract 9407.

(Case-86-0613. District-5.)

Subitem-A: (R-88-1145)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0613 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-88-92)

Introduction of an Ordinance for R-2000 Zoning.

Subitem-C: (R-88-1128)

Adoption of a Resolution amending the Mira Mesa Community Plan affecting property east and west of Black Mountain Road and north of Galvin Avenue.

Subitem-D: (R-88-)

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-86-0613.

FILE LOCATION: SUBITEM-A&D - ZONE Ord.No. SUBITEM-B - -
SUBITEM-C - LAND - Mira Mesa Community Plan

COUNCIL ACTION: (Tape location: D026-037.)

MOTION BY STRUIKSMA TO CONTINUE TO APRIL 19, 1988. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-338: (R-88-935 Rev.1) CONTINUED TO APRIL 12, 1988

(Continued from the meeting of February 23, 1988, Item 334, at the requests of the Rancho Penasquitos Town Council and the Rancho Penasquitos Planning Board, to allow them time to work on a problem.)

Designating an area of benefit in Penasquitos East and the boundaries thereof, confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to said Public Facilities Projects, the method for apportioning the costs of said Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments, and proceedings thereto, and ordering the proposed Public Facilities Project in the matter of the Penasquitos East Facilities Benefit Assessment Area. (See City Manager Report CMR-87-538. Penasquitos East Community Area. District-1.)

FILE LOCATION: STRT FB-5

COUNCIL ACTION: (Tape location: D004-026.)

MOTION BY WOLFSHEIMER TO CONTINUE TO APRIL 12, 1988 TO ALLOW ITEM TO BE HEARD IN FINAL FORM BY THE TRANSPORTATION AND LAND USE COMMITTEE ON APRIL 11, 1988. Second by Struiksmma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-339:

(Continued from the meeting of January 26, 1988, Item 332, at Council Member Henderson's request, to allow the staff to seek the recommendations of the Pacific Beach and Linda Vista Planning Groups on the respective items.)

Matters of the following accelerated variance requests from the Interim Development Ordinance (IDO):

- a) A variance request from the Interim Development Ordinance (IDO) to construct a 2-unit multi-family project. The subject property is located at 820 Diamond Street and is described as Assessor's Parcel No. 415-532-18. The R-1500 zoned site is within the Pacific Beach Community Plan.
Case-87-2081 (Accelerated). (District-6.)
- b) A variance request from the Interim Development Ordinance (IDO) to construct a 2-unit multi-family project. The subject property is located at 5919 Mildred Street and is described as Assessor's Parcel No. 436-421-03. The R-1000 zoned site is within the Linda Vista Community Plan.
Case-87-2291 (Accelerated). (District-6.)
- c) A variance request from the Interim Development Ordinance (IDO) to construct a 3-unit condominium project. The subject property is located at 3987 Lamont Street and is described as Assessor's Parcel No. 424-504-24. The R-1500 zoned site is within the Pacific Beach Community Plan.
Case-87-2031 (Accelerated). (District-6.)

19880322

Subitem-A: (R-88-1981) ADOPTED AS RESOLUTION R-270601
GRANTING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-2081 with appropriate findings to support Council action.

Subitem-B: (R-88-) CONTINUED TO APRIL 19, 1988 AT
2:00 P.M.

Adoption of a Resolution granting or denying the variance
request for Case-87-2291 with appropriate findings to
support Council action.

Subitem-C: (R-88-) CONTINUED TO APRIL 19, 1988 AT
2:00 P.M.

Adoption of a Resolution granting or denying the variance
request for Case-87-2031 with appropriate findings to
support Council action.

FILE LOCATION: SUBITEM-A - ZONE IDO Variance Case-87-2081

SUBITEM-B - ZONE IDO Variance Case-87-2291

SUBITEM-C - ZONE IDO Variance Case-87-2031

COUNCIL ACTION: (Tape location:

Subitem-A - I336-563;

Subitem-B&C - D037-109.)

Hearing for Subitem-A began at 5:57 p.m. and halted
at 6:11 p.m.

Testimony in favor of Subitem-A by Dirk Kingma.

MOTION BY HENDERSON TO GRANT THE VARIANCE FOR SUBITEM-A. Second
by Pratt. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not
present, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

MOTION BY HENDERSON TO CONTINUE SUBITEMS-B&C TO APRIL 19, 1988
AT 2:00 P.M. TO AWAIT THE COMMUNITY PLANNING GROUP'S
RECOMMENDATION. Second by Struiksma. Passed by the following
vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not
present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-340: RETURNED TO THE PLANNING DEPARTMENT
(Continued from the meeting of February 9, 1988, Item 332 A and
B, at Council Member Wolfsheimer's request, to allow time for
the Rancho Bernardo Community Planning Group to review the
request.)

Matters of the following accelerated variance requests from the
Interim Development Ordinance (IDO):

- a) A variance request from the Interim Development Ordinance
(IDO) to construct 2 single family units. The subject
property is described as Lots 2442 and 2449 Bernardo Trails,

Unit No. 7, and is further described as Assessor's Parcel Nos. 272-640-38 and 31. The A1-1 zoned site is within the Rancho Bernardo Community Plan.

Case-87-3047 (Accelerated) (District-1.)

- b) A variance request from the Interim Development Ordinance (IDO) to construct 3 single family units. The subject property is described as Lots 2420, 2421, and 2425 Bernardo Trails, Unit No. 7, and is further described as Assessor's Parcel Nos. 272-640-9, 10, and 14. The A1-1 zoned site is within the Rancho Bernardo Community Plan.

Case-87-3046 (Accelerated) (District-1.)

Subitem-A: (R-88-)

Adoption of a Resolution granting or denying the variance request for Case-87-3047 with appropriate findings to support Council action.

Subitem-B: (R-88-)

Adoption of a Resolution granting or denying the variance request for Case-87-3046 with appropriate findings to support Council action.

FILE LOCATION: SUBITEM-A - ZONE IDO Variance Case-87-3047

SUBITEM-B - ZONE IDO Variance Case-87-3046

COUNCIL ACTION: (Tape location: D050-109.)

MOTION BY WOLFSHEIMER TO RETURN TO THE PLANNING DEPARTMENT AT THE REQUEST OF RON SMITH SINCE THE OWNER WITHDREW HIS REQUEST BEFORE THE COMMUNITY PLANNING GROUP. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-341: (O-88-128) INTRODUCED AND ADOPTED AS ORDINANCE
O-17045 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16916-1, as amended and adopted therein, by amending the non-personnel authorization of the Planning Department (065) by adding the sum of \$15,000 to program element (06510) for expenses related to the San Diego Bay-Balboa Park Link, Centre City Linkage Project;

authorizing the Auditor and Comptroller to transfer to the General Fund 100, Planning Department (065) appropriating the sum of \$15,000 from unanticipated reimbursement revenues from the Centre City Development Corporation (DP 125859) and increase said department's appropriation accordingly; authorizing the Auditor and Comptroller and the Planning Director to expend an amount not to exceed \$15,000 for the purposes specified in the project.

PLANNING DIRECTOR REPORT: This budget adjustment will appropriate the unanticipated \$15,000 contribution from CCDC to the City for the San Diego Bay-Balboa Park Linkage Study. These funds will be used to pay a portion of the cost for the study. See companion item, San Diego Bay-Balboa Park Linkage Project. Consultant selection for additional information on the project. Aud. Cert. 8800693.

NOTE: The first public hearing of this Ordinance was held on Monday, March 21, 1988 Item 207. Today's action is the second public hearing for the introduction and adoption of the Ordinance. See Item 204 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I563-574.)

MOTION BY McCARTY TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-88-1707) ADOPTED AS AMENDED AS RESOLUTION
R-270602

(Continued from the meetings of March 7, 1988, Item S400, and March 14, 1988, Item S400; last continued at the City Manager's request, to allow time for Council to review the material.)

Authorizing the execution of an agreement with James M. Montgomery, Consulting Engineers, Inc., for professional consultant services to provide Program Management and Engineering Services for planning the modification and enlargement of the Metropolitan Sewerage System; authorizing the expenditure of an amount not to exceed \$2,710,968 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, Sewer Revenue Fund (41506) for the purpose of providing funds for the above project to cover the first contract period; authorizing the execution of an agreement with Management Analysis Company (MAC), for professional

consultant services to provide assistance with Program Management negotiations; authorizing the expenditure of an amount not to exceed \$10,000 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, Sewer Revenue Fund (41506), for the purpose of executing the agreement with MAC; authorizing the expenditure of an amount not to exceed \$328,700 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, Sewer Revenue Fund (41506), for the purpose of obtaining data processing and telecommunications services to support the above agreements.

(See City Manager Report CMR-88-129.)

COMMITTEE ACTION: Reviewed by PSS on 3/3/88. Recommendation to adopt the City Manager's recommendation with affirmation that project be based on water reclamation as the first priority.

Districts 2, 3, 4 and 6 voted yea. District 7 not present.

Aud. Cert. 8800803.

WU-U-88-109.

FILE LOCATION: MEET CCONFY88-2

COUNCIL ACTION: (Tape location: A367-C295; D167-455.)

MOTION BY ROBERTS TO ADOPT SUBJECT TO CANCELLATION, IF THE COUNCIL SO CHOOSES, PENDING THE OUTCOME OF THE MEETING OF THE COUNCIL WITH THE JUSTICE DEPARTMENT, EPA (ENVIRONMENTAL PROTECTION AGENCY), AND OUR DELEGATION. DIRECT THE MAYOR TO WRITE A LETTER INVITING THESE OFFICIALS TO MEET WITH THE COUNCIL ON APRIL 4 and 5, 1988 TO DISCUSS THE ISSUE. ACCEPT THE AMENDMENT BY COUNCIL MEMBER McCARTY_TO_REQUEST THAT

MONTGOMERY

AND THE SEWERAGE TASK FORCE PROVIDE A REPORT AND BRIEFING ON THE STATUS OF THE UPGRADING OF THE SEWERAGE SYSTEM TO THE CITY COUNCIL DIRECTLY AT LEAST ONCE EVERY TWO MONTHS TO ALLOW AN OPPORTUNITY FOR QUESTION AND COMMENT. Second by McCarty.

(NOTE: No vote. Trained to p.m.)

MOTION BY ROBERTS TO AMEND THE MOTION ON THE FLOOR BY AUTHORIZING ONLY THE ENGINEERING PORTION OF THE AGREEMENT TO GO FORWARD, AND AUTHORIZING AN AMOUNT NOT EXCEED \$50,000 AT THIS TIME FOR THE PUBLIC PARTICIPATION PORTION OF THE AGREEMENT.

DIRECT THE CITY CLERK TO REPORT TO COUNCIL ON APRIL 4, 1988 AT 2:00 P.M. WITH AN ESTIMATE OF THE COST TO NOTICE THIS TYPE OF PROCEEDING BOTH FOR CEQA/NEPA AND FOR GENERAL PUBLIC INPUT.

DIRECT THE CITY MANAGER TO REPORT TO COUNCIL ON APRIL 4, 1988 AT 2:00 P.M. WITH TIMESHEETS INDICATING THE DUTIES THAT EACH OF THE SEVEN FIRMS WOULD UNDERTAKE TO EARN THEIR SALARIES. THESE TIMESHEETS SHOULD INDICATE THE NUMBER OF MEETINGS, THE NUMBER OF PEOPLE THAT WILL BE EMPLOYED AND THEIR SPECIFIC DUTIES. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea,
Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (O-88-156) INTRODUCED, TO BE ADOPTED APRIL 4, 1988

Introduction of an Ordinance amending Chapter IV, Article 2, Division 4, of the San Diego Municipal Code by adding Sections 42.0400, 42.0401, 42.0402, 42.0403, 42.0404, 42.0405, 42.0406, 42.0407, 42.0408, 42.0409, 42.0410, 42.0411, 42.0412, 42.0413, 42.0414, 42.0415, 42.0416, 42.0417, 42.0418, 42.0419, 42.0420, 42.0421, 42.0422, 42.0423 and 42.0424 relating to Bathhouses.

(See City Manager Reports CMR-88-159 and CMR-88-126; and letter from George F. Bailey dated 2/16/88.)

COMMITTEE ACTION: Reviewed by PSS on 3/2/88. Recommendation to approve in concept and referred to the City Council.

Districts 2, 3, 4, 6 and 7 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A083-365.)

MOTION BY MCCOLL TO INTRODUCE THE ORDINANCE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S410: (O-88-159) HEARING APPROVED

First public hearing in the matter of:

Amending O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-16916-1, as amended and adopted therein, by amending and adding to the personnel authorization of the Planning Department (065) Program Element 06541, one-quarter (0.25) Senior Planner position; authorizing the City Auditor and Comptroller to transfer the sum of \$18,813 within the General Fund 100 from the Unallocated Reserve (605) to the Planning Department (065) Program Element 06541, for the above position, allocating \$12,043 to Personnel Services, \$2,870 for overtime, and \$3,900 for non-personnel expenses, all related to amending the La Jolla Planned District Ordinance.

CITY MANAGER SUPPORTING INFORMATION: On Tuesday, March 15, 1988, the City Council directed the Planning Director to prepare and place on the Council Docket of March 21, 1988 an

Appropriation Ordinance Amendment providing the necessary funds to immediately commence revisions to the la Jolla Planned District Ordinance (PDO). This ordinance will provide funding (\$18,813) for .25 Senior Planner, overtime and pool help, and related non personnel services. The work to be performed shall include analysing PDO revisions proposed by the City Council relating to reducing floor area ratio, deemphasizing commercial development, reducing residential densities, and reducing the height limit. The work shall require 60 days preceding a Council Hearing, and 30 days thereafter for follow-up tasks. Aud. Cert. 8800847.

NOTE: See Item S500 of Tuesday, March 22, 1988, for the introduction and adoption of the Ordinance.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E053-239.)

MOTION BY WOLFSHEIMER TO APPROVE THE FIRST HEARING WITH THE UNDERSTANDING THAT THE ITEM WILL COME BACK FOR REVIEW IN SIXTY DAYS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO RECONSIDER THE ITEM. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO APPROVE THE FIRST HEARING WITH THE UNDERSTANDING THAT THE ITEM WILL COME BACK FOR REVIEW IN SIXTY DAYS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S500: (O-88-159) CONTINUED TO APRIL 4, 1988 AT 2:00 P.M.

Introduction and adoption of an Ordinance amending O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-16916-1, as amended and adopted therein, by amending and adding to the personnel authorization of the Planning Department (065) Program Element 06541, one-quarter (0.25) Senior Planner position; authorizing the City Auditor and Comptroller to transfer the sum of \$18,813 within the General Fund 100 from the Unallocated Reserve (605) to the

Planning Department (065) Program Element 06541, for the above position, allocating \$12,043 to Personnel Services, \$2,870 for overtime, and \$3,900 for non-personnel expenses, all related to amending the La Jolla Planned District Ordinance.

CITY MANAGER SUPPORTING INFORMATION: On Tuesday, March 15, 1988, the City Council directed the Planning Director to prepare and place on the Council Docket of March 21, 1988 an Appropriation Ordinance Amendment providing the necessary funds to immediately commence revisions to the la Jolla Planned District Ordinance (PDO). This ordinance will provide funding (\$18,813) for .25 Senior Planner, overtime and pool help, and related non personnel services. The work to be performed shall include analysing PDO revisions proposed by the City Council relating to reducing floor area ratio, deemphasizing commercial development, reducing residential densities, and reducing the height limit. The work shall require 60 days preceding a Council Hearing, and 30 days thereafter for follow-up tasks. Aud. Cert. 8800847.

NOTE: The first public hearing of this Ordinance was held on Monday, March 21, 1988, Item S410. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: D109-118.)

MOTION BY McCOLL TO CONTINUE TO APRIL 4, 1988 AT 2:00 P.M. AT THE REQUEST OF CHUCK WOOLEVER SINCE FIRST READING WAS TRAILED FROM THE MARCH 21, 1988 DOCKET TO THE MARCH 22, 1988 DOCKET.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S501: (R-88-1883) ADOPTED AS RESOLUTION R-270603

Matter of a discussion of the following nominees for appointment by the Council to fill four vacancies on the San Diego Stadium Authority Governing Board, for four-year terms expiring on December 31, 1991:

(See memorandum from Mayor O'Connor dated 3/16/88 with resumes attached.)

Nominee:	Nominated by:
John Carlson	Council Member McCarty
(Reappointment)	
Oscar Padilla	Council Member Struiksma

(Reappointment)

Beatrice Kemp	Council Member Pratt
Don McGrath II	Mayor O'Connor
Mike Gotch	Council Member Roberts
Ellis Casson	Council Member Henderson

Today's action is adoption of a Resolution making the appointments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F262-G259.)

The first ballot was taken, and Clerk Abdelnour announced the tally for Round 1: Carlson-8, Casson-1, Gotch-6, Kemp-9, McGrath-4, and Padilla-8.

MOTION BY WOLFSHEIMER TO ADOPT A RESOLUTION RE-APPOINTING OSCAR PADILLA AND JOHN CARLSON AND APPOINTING BEATRICE KEMP AND MIKE GOTCH TO THE STADIUM AUTHORITY. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

NONE.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER FOR A REPORT BACK TO COUNCIL

Comments by Muhammad Abdullah on police misconduct.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: I582-649.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 6:14 p.m. in honor of the memory of Mr. George Williams.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: I649).